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Wednesday, February 12, 1862

The Senate met pursuant to adjournment.

The journal of yesterday was read and approved.

On motion of Mr. Caldwell, the message of the Governor nominating a commissioner to settle with the disbursing officers of the Provisional Army of Tennessee, was ordered to be transmitted to the House of Representatives.

Mr. Maxwell ~~asked~~ withdrew, from the calendar, Senate Resolution No. 71, to make an appropriation for the relief of the sufferers by the late conflagration at Charleston, S. C.,

Senate Resolution No. 7, directory to the clerk of the Senate, was withdrawn by Mr. Jones from the calendar.

Mr. Cantrell offered Senate Resolution No. 88, as follows:

Resolved by the General Assembly of the State of Tennessee, That the Senate unite the House of Representatives in the Hall of the House of Representatives, on the 13th instant at 11 o'clock A. M. for the purpose of considering the nomination of the Governor of a commissioner to settle with the different Quartermasters, Commissaries, Paymasters, Ordnance Offi-

ers, Surgeons and others disbursing Officers of the Provisional Army of Tennessee.

On motion of Mr. Caldwell the rules were suspended and the resolution taken up and adopted, and ordered to be transmitted to the House of Representatives.

A message was received from the House of Representatives by Mr. Liggett, their Clerk, as follows:

Mr Speaker:

The House of Representatives has passed upon the 3rd Reading, House Bill, No 38. To amend the Charter of the Memphis & Somerville Turnpike &c, &c, House Bill No 68. To provide Nurses for sick Soldiers, House Bill, No 72. To grant Pre-emption in certain cases, House Bill No 78. To repeal Section 622. of the Code, House Bill, No 79. To amend Section 2069 of the Code, and has ordered the immediate transmission of the same for the Consideration of the Senate and the same am herewith transmitted,

House Bills on Third Reading.

House Bill No. 243,

To incorporate the Tallabola Fire Arms

and General Manufacturing Company and the Confederate Rolling Mill Company,

Was taken up on third reading.

Sen. Bumpas offered an amendment to incorporate the Jackson Manufacturing Company in the county of Madison, ~~County~~, which was adopted.

Sen. Dunlap offered an amendment to amend the charter of Chickasaw City in the County of Shelby which was adopted.

Sen. Bumpas offered an amendment to charter the Covington Fire Arms and Manufacturing Company, which was adopted.

The bill as amended passed its third reading,

Ayes 12,

Noes 7.

Senators voting in the affirmative are:

Messrs. Anderson, Barrow, Bumpas, Caldwell, Dunlap, Harrison, McDearman, Norris, Robson, Turney, Wilson of Lawrence, and Mr. Speaker Cheatham—12.

In the negative:

Messrs. Hill, Hewitt, Jones, Lane, Maxwell, McNeilly, and Weber—7.

On motion of Mr. Dunlap the ~~rule~~ was suspended and the bill ordered to be returned ~~transmitted~~ to the House of Representatives for further action.

House Bill No. 86,

To amend the charter of the Bank of Hardeman,

Passed its third reading.

House Bills on First Reading.

House Bill No. 38,

To amend the charter of the Memphis and Somerville Turnpike Company, the charter of the Shelbyville and Fairfield Turnpike Company, the Murfreesborough and Brady ville Turnpike Company, the Fayetteville, Shelbyville and Lynchburg Turnpike Company, Ousley Landen's Turnpike, and for other purposes,

Passed its first reading.

House Bill No. 68,

To provide nurses for sick soldiers,

Passed its first reading.

House Bill No. 72,

To quash writs in certain cases,

Passed its first reading.

House Bill No. 78,

To repeal section 6242 of the Code.

Passed its first reading.

House Bill No. 79,

To amend section 2069 of the Code,

Passed its first reading.

A message was received from the House of Representatives by Allen. Liggett, their clerk, as follo

Lows:

Mr Speaker:

The House has had under consideration, Senate Resolution, No 88. To provide for a convention of the two Houses. On the 13th Inst. and has concurred in the same, and the same is herewith returned for enrolment,

The Speaker of the House has signed Enrolled Act To provide for the families of Indigent Soldiers Enrolled Joint Resolution, Authorizing experiments to be made with James M. Hamilton's Sub-Marine Battery;

Enrolled Joint Resolution for the benefit of M. H. S. Hill. and M. L. Martin and the same are herewith transmitted for the signature of the Speaker of the Senate,

Mr. Lane asked and obtained leave of absence for the Messenger on account of sickness.

Mr. Lane. asked and obtained leave of absence ~~X~~ until Monday next.

Senate Bills on Second Reading.

Senate Bill No. 76,

To regulate the proceedings of Explosive Companies,

[illegible]

Mr. Robson moved to strike out the word "may" in the third section and insert the word shall, which was agreed to.

The Bill as amended hafsed its second reading.

Senate Bill No. 128,

To reduce the number of circuits from fifteen to thirteen, saving to the State seventy-two hundred dollars annually,

Was taken up on its second reading, the question being upon the bill in lieu offered by Mr. Finney.

Pending the consideration of the bill in lieu,

On motion of Mr. Jones, the Senate took a recess until 2 o'clock P. M.

Afternoon Session.

The Senate was called to order at 2 o'clock by the Secretary, and resumed the consideration of Senate Bill No. 128, to reduce the number of circuits from fifteen to thirteen, saving to the State seventy-two hundred dollars annually, the question being on the bill in lieu.

The bill in lieu was adopted,

and passed on its second reading,

Ayes 10;

Noes 8.

Mr. McNeilly having demanded the ayes and noes,

Senators voting in the affirmative are:

Messrs. Anderson, Banner, Brumfield, Dunlap, Hanna, Jones, Morris, Nelson, Tunney and Weston—10.

In the negative:

Messrs. Caldwell, Hill, Hurst, Maxwell, McClearnon, McNeilly, Wilson of Lawrence and Mr. Speaker Chatham—8.

Mr. Hanna moved that the Senate go into secret session, on which motion Mr. Hill demanded the ayes and noes which were taken and resulted

Ayes 10;

Noes 8.

Senators voting in the affirmative are:

Messrs. Anderson, Banner, Brumfield, Caldwell, Dunlap, Hanna, Jones, McNeilly, Wilson of Lawrence and Mr. Speaker Chatham—10.

In the negative:

Messrs. Hill, Hurst, Maxwell, McClearnon, Morris, Nelson, Tunney and Weston 8.

So the motion prevailed and the Senate went into

Secret Session

The journal of the secret session of yesterday was read and approved.

Mr. Morris asked and obtained leave to record his vote in the negative on the question on the third reading of Senate Bill No. 121.

On motion of Mr. Fawn the vote adopting Senate Bill No 121, to amend an act entitled An Act to raise, organize and equip a provisional force and for other purposes, passed 6th May, 1861, was reconsidered.

Mr. Fawn moved to reconsider the vote adopting the bill in lieu of Senate Bill No. 121, which was agreed to.

Mr. Jones moved to reconsider the vote adopting the Amendment offered in lieu of the Second and third sections of the bill in lieu by Gen. Hill, on which motion

Gen. Hill demanded the ayes and nays which were ordered and resulted

Ayes 11,

Nays 5.

Senators voting in the affirmative are Messrs. Anderson, Brown, Burnsides, Duncan, Harrison, Hewitt, Jones, McCarthy, Nelson of Lawrence and Gen. Sheets & Chenthain 11.

* In the negative:

Rufus. Anderson, Bacon, Bumpas, Dunlap, Haworth, Hunter, Jones, McNeilly, Wilson of Lawrence and Mr. Speaker — 10.

In the negative:

Messrs. Caldwell, Hill, Maxwell, McCleaman, Morris, Robson, Tinney and Wester — 8.

So the motion to reconsider prevailed.

The question occurring upon the adoption of the amendment in lieu of the second and third sections,

Mr. Hill demanded the ayes and noes which resulted Ayes 8;

Noes 10.

Senators voting in the affirmative are: Messrs. Caldwell, Hill, Maxwell, McCleaman, Morris, Robson, Tinney and Wester — 8.

*

So the amendment was rejected.

~~Third~~ Sections two and three of the bill in lieu were then adopted.

Ayes 11;

Noes 7.

Senators voting in the affirmative are: Messrs. Anderson, Bannon, Humphrey, Caldwell, Dodge, Hannon, Hewitt, Jones, McCarthy, Wilson of Lawrence and Mr. Speaker Cheatham.

In the negative:

Messrs. Hill, Maxwell, McCleaman, Morris, Robson, Tinney and Wester — 7.

Mr. Bannon moved to reconsider the vote adopting the ~~fifth~~ sixth section of the bill in lieu, which was agreed to.

Mr. Bannon moved to reconsider

the vote striking out in the ~~Sixth~~ Fifth section the word "cents" and inserting "returns" which was agreed to.

The ~~Sixth~~ Fifth section was then adopted.

Hon. Jones moved to reconsider the vote adopting the amendment offered by Hon. Hill in lieu of the ~~twelfth~~ thirteenth section of the bill in lieu, which motion prevailed.

The question recurring upon the adoption of the section in lieu offered by Hon. Hill,

Hon. Hill demanded the ayes and noes which resulted Ayes 8;

Noes 10.

Senators voting in the affirmative are:

Messrs. Caldwell, Hill, Motwell, McDearmon, Parrish, Upton, Tunney and Weston 8.

Yea the negative:

Messrs. Anderson, Barnes, Brumfield, Dunlap, Harrison, Hurst, Jones, McNeilly, Wilson of Lawrence and the Speaker Chatham-10.

So the section in lieu was rejected.

The question recurring upon the adoption of the ~~twelfth~~ thirteenth section of the bill in lieu,

Hon. Hill demanded the ayes and noes, which resulted Ayes 10;

Noes 8.

Senators voting in the affirmative are:

Messrs. Anderson, Barrow, Brumfield, Dunlap Harrow, Hurst, Jones, McNeilly, Wilson of Lawrence and Mr. Speaker Cheatham – 10.

On the negative:

Messrs. Caldwell, Hill, Maxwell, McDearmon, Morris, Robson, Turney and Wester – 8

So the thirteenth section of the bill ~~is~~ was adopted.

On motion of Mr. Brumfield the vote adopting the fifteenth section of the bill in lieu was reconsidered.

Mr. Brumfield moved to reconsider the vote striking out "7th" in the fifteenth section and inserting 6th, which motion was agreed to.

Mr. Caldwell then withdrew the motion to strike out and insert.

The fifteenth section was then adopted.

Mr. Morris offered the following as an additional section to the bill in lieu:

Sec. – Be it further enacted, That should it be necessary for the Governor to call into actual service the first or second corps, or both of them, under the provisions of this act, they shall not be called out for a period exceeding twelve months.

On the adoption of the amendment Mr. Morris demanded the ayes and noes.

which resulted — Ayes 8;

Noes 10.

Senators voting in the affirmative are:

Messrs. Anderson, Hill, Thorswell, McDermon, Irwin, Copson, Tinney and Wester — 8.

In the negative:

Messrs Barrow, Brumbach, Caldwell, Dunlap, Harrow, Hurst, Jones, McNeilly, Wilson of Lawrence and Mr. Speaker Chatham — 10.

So the amendment was rejected.

The ~~yeas~~ bill in lieu was then adopted, and passed its third reading,

Ayes 11,

Noes 7.

Senators voting in the affirmative are:

Messrs. Anderson, Barrow, Brumbach, Caldwell, Dunlap, Harrow, Hurst, Jones, McNeilly, Wilson of Lawrence and Mr. Speaker Chatham — 11.

In the negative:

Messrs. Hill, Thorswell, McDermon, Irwin, Copson, Tinney and Wester — 7.

On motion of Mr. Jones the bill was ordered to be engrossed and transmitted to the House of Representatives.

On motion of Mr. Jones the Senate session of the Senate was terminated.

Introduction of Bills

Mr. Dunlap introduced Senate Bill No. 138,

To authorize the election of an additional Justice of the Peace and Constable for the fifth and fourteenth civil districts in Shelby county,

Which raised its first reading.

Mr. Jones introduced Senate Bill No. 139,

To authorize John Markum to erect a mill dam across Elk River,

Which raised its first reading.

A message was received from the House of Representatives by Mr. Liggett, their Clerk, as follows:

Mr Speaker!

The House of Representatives has passed upon the 3 Reading, House Bill, No 124. To compel Collecting officers to satisfy Dockets — and has ordered the immediate transmission of the same for the action of the Senate,

And the same is herewith transmitted,

Senate Bill on Second Reading.

Senate Bill No. 136,

For the relief of F. M. Woolfolk, Sheriff of Madison County,

Passed it second reading.

Senate Bill on Third Reading.

Senate Bill No. 126,
For the benefit of the Tennessee Blind School,
Was taken up on third reading.
Mr. Dunlap offered the following amend-
ment:

Be it further enacted, That there is hereby appropriated five thousand dollars annually, for the years 1862 and 1863 to the Memphis Hospital, to be paid quarterly by the Treasurer of the State to the Treasurer of said Hospital on the warrant of the Comptroller.

Mr. Brumsop moved to amend the amendment by striking out "five thousand and inserting twenty-five hundred which motion was agreed to.

The amendment as amended was then adopted.

The bill as amended passed its third reading;

Ayes 18;

Noes —

Senators voting in the affirmative are: Messrs. Anderson, Barrow, Brumsop, Caudwell, Dunlap, Harwell, Hill, Hunt, Jones,

*In the negative:

None.

* House Bill Not First Reading.

House Bill No. 120,

To compel collecting officers to satisfy dockets

Passed its first reading.

Maxwell, McDearmon, McNeilly, Norris, Robson, Tinney, Vester, Wilson of Lawrence and Mr. Speaker Cheatham — 18.

On motion of Mr. Jones the rule was suspended and the bill ordered to be engrossed and transmitted to the House of Representatives.

On motion of Mr. Maxwell the Senate adjourned until to-morrow morning at 9 o'clock.

Thursday, Feb. 13th, 1862.

The Senate met pursuant to adjournment. The journal of yesterday was read and approved.

Mr. Hamilton presented a memorial from citizens of Haywood County praying the passage of a law authorizing the County Court to affix a tax for the support of military and hospitals which was read, and,

On motion of Mr. Bunker, was referred to the committee on the Judiciary.

Mr. Jones from the committee on enrolled bills reported as correctly engrossed Senate Bills Nos. 121 and 124.

House Bills on Second Reading.

House Bill No. 38,

To amend the charter of the Memphis and Somerville Turnpike Company, the charter of the Shelbyville and Fairfield Turnpike Company, the Mercersburgh and Brodyville Turnpike Company, the Fayetteville, Shelbyville and Lynchburg Turnpike Company, Presley Landers Turnpike and for other purposes.

Mr. Anderson offered an amendment giving the further time of two years to the Carthage and Rome Turnpike Company to complete their road, which was adopted.

The bill as amended passed its second reading.

House Bill No. 72,

To Guarantee crops in certain cases,

Passed its second reading, and,

On motion of Mr. Morris, was referred to the Committee on the Judiciary.

House Bill No. 78,

To repeal section 6 2 of the Code,

Passed its second reading.

House Bill No. 79,

To amend section 2069 of the Code,

Passed its second reading.

House Bill No. 120,

To compel collecting officers to satisfy executions,

...Passed its second reading.

On motion of Mr. Hill the motion heretofore entered by Mr Tinsley to reconsider the vote indefinitely postponing on its second reading, House Bill No. 242, to authorize the Union and Planters Banks to issue checks to circulate as Bank Bills, was taken up and the motion to reconsider prevailed, the question being upon the amendment offered by Mr. Cooper to allow the Memphis and Charleston Railroad Company to issue $100,000 in change bills.

Mr. Smith offered an amendment to the amendment extending the same privilege to the Nashville and Chattanooga Railroad Company and the East Tennessee and Georgia Railroad Company.

Mr. Maxwell offered an amendment authorizing Wm. Davis to issue change tickets for the benefit of the Community, to the amount of one hundred dollars.

On motion of Mr. Young, the pending amendments were laid on the table.

On the passage of the bill on its second reading,

Mr. Whitsitt demanded the ayes and noes which resulted Ayes 11,

6.

officers of the Provisional Army of Tennessee.

On motion of Mr. Caldwell, the Senate took a recess for five minutes preparatory to meeting the House of Representatives in convention.

The hour of 11 o'clock having arrived, the Senators proceeded in a body to the Hall of the House of Representatives.

In Convention.

Mr Speaker Cheatham, as President of the Convention took the chair and called the Senate to order, and directed the clerk to read the resolution providing for the assembling of the Convention.

The Message from the Governor nominating the Hon. Isaac N. Williams of the County of Stanly and one of the Commissioners to settle with the disbursing officers of the Provisional Army of Tennessee was read.

The nomination was confirmed.

The Convention having accomplished the business for which it was called the President announced it dissolved.

The Senators returned to their Chamber and were called to Order by the Speaker.

Hon. Cleveland moved that the Senate go into Secret Session, upon which motion

Hon. Hill demanded the ayes and noes, which resulted Ayes 11;

Noes 6. . . . .

Senators voting in the affirmative are. Messrs. Anderson, Bacon, Bamford, Caldwell, Dunlap, Harrison, Hunt, McNeilly, Tinney, Wilson of Lawrence and Mr. Speaker (Eleven — 11.

Those in the negative:

Messrs. Hill, Maxwell, McDermon, Morris, Rogers, and Vesta - 6.

So the motion prevailed and the Senate went into

Secret Session.

The journal of the Secret Session of yesterday was read and approved.

Hon. Tinney asked and obtained leave to change his vote from the negative to the affirmative on the passage on the third reading of Senate Bill No. 81, to amend the law in relation to roads, organize and designate a permanent fixed and for other purposes, passed May 6th, 1861.

On motion of Allen Caldwell
the Secretary of the Senate closed.

On motion of Mr. Meyrick
the Senate adjourned until to-mor-
row morning at 9 o'clock.

Friday, February 14th 1862.

The Senate met pursuant to adjournment.
The journal of yesterday was read and approved.

House Bills on Third Reading.

House Bill No. 38,
To amend the charter of the Memphis and Somerville Turnpike Com-
pany, the charter of the Shelbyville and Fairfield Turnpike Com-
pany, the Montezuma Company, and Brady ville Turnpike Company, the
Fayetteville, Mulberry and Lynchburg Turnpike Company, Bas-
by Cannon's Turnpike, and for other purposes,
Passed its third reading
Ayes 16,
Noes 1.
Senators, voting in the affirmative are:
Bryan, Anderson, Harris, Brumsey, Caldwell,
Dunlap, Harris, Hall, Hunt, Jones, Maxwell,

McDearmon, McNeilly, Morris, Robin, Wester, and Mr. Speaker Cheatham — 16.

On the negative:

Mr. Finney — 1.

House Bill No 79,

To amend section 2069, of the Code,

Passed 3rd third reading,

Ayes 17;

Noes —

Senators voting on the affirmative are:

Mr. Speaker, Anderson, Barrow, Brandon, Caldwell, Dunlap, Farnum, Hill, Hurst, Jones, Marshall, McDearmon, McNeilly, Morris, Robin, Finney, Wester and Mr. Speaker Cheatham — 17.

Not on the negative:

None.

House Bill No. 120,

To amend efficient to satisfy the Code.

Mr. Hurst offered the following amendment,

Be it further enacted, That hereafter all Justices of the Peace in this State shall hold their courts in each year for the trial of civil causes, to wit: On the first Thursday in March and September in each year, and may adjourn from day to day until the business on the docket is disposed of; and all executions issued by Justices of the Peace shall be returnable to the next terms of the Court ~~in six months after date~~. Nothing in this act shall be so construed, as to prevent the trial of at

~~attachments~~ at any time; ~~and which shall be the duty of the Justices of the Peace to~~

Mr. Tinney offered the following amendment to the amendment ~~which was adopted~~, which was adopted.

Provided, that nothing in this act shall prevent or hinder Justices of the Peace from trying and determining criminal cases and actions of replevin, actions of forcible entry and detainer, and other actions for damages, ~~and between the same disputed and litigated, and~~ but in such cases he shall try them as heretofore.

On the adoption of the amendment as amended,

Mr. Jones demanded the ayes and noes, which resulted Ayes 13;

Noes 4.

Those voting in the affirmative are:

Messrs. Anderson, Barnes, Bruner, Caldwell, Crump, Dawson, Hill, Hunt, McDaniel, McKelly, Roper, Tinney and Mr. Speaker Chatham-13.

Those in the negative:

Messrs. Enoch, Maxwell, Owens and Westbrook-4.

Mr. Caldwell offered the following amendment, which was adopted.

Sec. Be it further enacted, That all laws and parts of laws coming in conflict with the provisions of this act be and the same are hereby repealed, and that this act take effect

from and ~~after its~~ passage.

Mr. Brassfield offered the following amendment, ~~which was rejected~~:

Sec. — Be it further enacted, That the present fees of Justices shall be doubled and that each ~~of~~ of them shall have the power of appointing a Clerk or ~~Prothonotaries~~ Prothonotary whose business it shall be to keep in a well bound book a record of all proceedings in the said Justices Court; and who shall perform all the duties of a clerk of the Circuit Court, so far as applicable to his court, and his fees for his services shall be one-half of the fees of the said Justice.

On motion of Mr. Brumbaugh the amendment was laid on the table.

Mr. Morris offered the following amendment:

Be it further enacted that one of the

On motion of Allen Caldwell the amendment was laid on the table.

Mr Cheatham (Mr Hannon in the chair) demanded the previous question, which demand was sustained.

The bill then passed its third reading.

Ayes 13.

Noes 4.

Senators voting in the affirmative are:

Messrs. Anderson, Barrow, Brumfield, Caldwell, Lindsay, Hannon, Hill, Hunt, McDaniel, McNeilly, Robson, Tinney, and Allen. Absent (Excused) 13.

In the negative:

Messrs. Jones, Maxwell, Morris and Western 4.

Mr. Hill entered a motion to reconsider the vote passing the bill.

Mr. Cheatham (Mr. Hannon in the chair) moved to take up the motion to reconsider which was agreed to.

Mr. Hunt demanded the ayes and noes on the motion to reconsider, which resulted:

Ayes 6;

Noes 11

Senators voting in the affirmative are:

Messrs. Anderson, Hill, Jones, Maxwell, Morris and Western 6.

In the negative:

Messrs. Barrow, Brumfield, Caldwell, Lindsay

Hanson, Hunt, McDearmon, McNeily, Robson, Tunney and Mr Speaker Cheatham—11.

So the motion to reconsider failed.

House Bill No. 542,

To authorize the Union and Planters Banks to issue checks to circulate as Bank bills;

Was taken up on its third reading.

Mr. Caldwell moved to strike out "one" and insert two where it occurs in the second section of the bill, which motion,

Pending which motion,

On motion of Mr Tunney, the Senate took a recess until 2 o'clock P.M.

After noon Session.

The Speaker called the Senate to order

The Senate resumed the Consideration of House Bill No. 242, to authorize the Union ~~Bank of Leon~~ and Planters Banks to issue checks to circulate as Bank bills, the question being upon the motion of Gen. Caldwell to strike out "one" where it appears in the second section of the bill and insert two, which motion was agreed to.—

Mr. Caldwell moved to strike out the amendment offered by Gen. Hunt and adopted on the Second reading of the bill, which motion prevailed.

Mr. Gray will moved to strike out that portion of the bill referring to the Union Bank.

Mr. Caldwell moved to lay the motion on the table, which was agreed to.

The bill then passed its third reading.

Ayes 10;

Noes 7.

Senators voting in the affirmative are: Messrs. Barnes, Brush, Caldwell, Drew, Hawkins, Hill, Hunt, Robson, Tenney, and Webster—10.

Senators negative:

Messrs. Anderson, Jones, McConnell, McKinnon, McNeill, Morris, and Sheaffer—7.

House Bill on Second Reading.

House Bill No. 68,
To provide nurses for sick soldiers,
Was taken up on second reading.
Mr. Roswell offered an amendment to authorize persons having free negroes bound to them to remove them beyond the State under certain regulations.

On motion of Gen. Hunt, the amendment was lost on the ballot.

The bill then passed its second reading.

House Bills on Third Reading.

House Bill No. 91,
To, the benefit of tax collectors,
Passed its first reading.
House Bill No. 97,
To incorporate the Home Insurance Company of Nashville and the Southside Institute:
Passed its first reading, and,
On motion of Gen. Caudle, was referred to the Committee on Private Incorporations.

Mr. Anderson asked and obtained leave of absence for Gen. Still until Monday next, on account of indisposition.

House message returning Senate Bill No. 101, to provide for the payment of the War Tax, with amendments was taken up, and,

On motion of Mr. Caldwell was made the Special Order for Monday next at 11 o'clock A. M.

Senate Bills on ~~Third~~ First Reading.

Senate Bill No. 138,

To authorize the election of an additional Justice of Peace and Constable for the fifth and fourteenth civil districts in Shelby County.

Mr. Caldwell moved to Strike out the words "and Constable" where they appear in the bill, which was agreed to.

The bill as amended passed its third reading.

Ayes 16

Ayes 1.

Senators voting in the affirmative are:

Messrs. Bachelor, Brown, Brumbaugh, Caldwell, Dunbar, Hanson, Hill Hurst, Jones, Maxwell, McClanahan, Pitts, Smith, Stevens, Weller and Mr. Speaker Cheatham — 16,

Those voting in the negative:

Mr. Feimster — 1.

Senate Bill No. 139,

To authorize John Markham to erect a mill dam across Elk river,

Passed its third reading,

Ayes 13;

Noes 4.

Senators voting in the affirmative are: Mssrs. Anderton, Barnes, Blackburn, Caldwell, Dunlap, Hanson, Jones, Maxwell, McDearmon, McNeilly, Norris, Taylor, and Tansey — 13.

In the negative:

Messrs. Hill, Hurst, Nesbit and Speaker Cheatham — 4.

On motion of Mr. Jones the rule was suspended and the bill ordered to be engrossed and transmitted to the House of Representatives.

Mr. Maxwell offered Senate Resolution No. 89, as follows:

Whereas, This Legislature has hailed with unfeigned pleasure and delight of the triumphant victory of our arms over the Black Republican hosts on yesterday at Fort Donelson, therefore, be it

Resolved by the General Assembly of the State of Tennessee, That in commendation of the gallant defense of said Fort by General Pillow and the officers and soldiers

under his command, they are entitled to and do hereby receive the warmest thanks of this General Assembly, and as an additional mark of our gratitude and respect for them and for the prestige and glory of our arms we do now adjourn until to-morrow morning at 9 o'clock.

The resolution lies over under the rule.

Mr. Caldwell offered Senate Resolution No. 90, as follows:

Resolved by the General Assembly of the State of Tennessee, That the Ordnance Bureau be and they are hereby instructed to have manufactured in the shortest possible time ——— thousand rifles for the defense of the State.

Resolved, That the Keeper of the Penitentiary, under the direction of the Ordnance Bureau, use the force of the Penitentiary in the manufacture of said rifles, or such numbers as they can in a reasonable time.

On motion of Mr. Caldwell the rule was suspended and the resolution taken up.

On motion of Mr. Hill the resolution was referred to the Committee on Military Affairs.

Hon. Anderson moved that the Senate go into Secret Session, which was agreed to

Secret Session

On motion of Mr. [illegible] the Resolution No. 126,

To request President [illegible] for Gen. G. B. Crittenden to Command,

Was taken up.

Hon. Caldwell moved to [illegible] the resolution to the Committee on [illegible], which was agreed to.

On the adoption of the [illegible],

Hon. Harrow demanded the yeas and nays, which resulted

Yeas 13,

Nays 4,

Senators voting in the affirmative were:

Messrs. Anderson, Barnes, Bowden, Bush, Hill, Hunt, Jewett, McFarland, Neill, Shrum, Tinney, Watkins, Woodside and Speaker Cheatham—13.

On the negative:

Messrs. Caldwell, Harrow, Hymer and Pierce—4.

On motion of Col. Bruce the vote was ordered to be returned to the House